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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

DANIEL CHECKMAN, Individually And Behalf  
Of All Others Similarly Situated,

Plaintiff,

v.

ALLEGiant TRAVEL COMPANY,  
MAURICE J. GALLAGHER, JR., and SCOTT  
SHELDON,

Defendants.

Case No.: 2:18-cv-01758-APG-PAL

**STIPULATION AND [PROPOSED]  
ORDER SETTING SCHEDULE FOR  
FILING OF AMENDED CLASS  
ACTION COMPLAINT AND  
BRIEFING ON MOTION TO DISMISS  
(First Request)**

Plaintiff Daniel Checkman, individually and behalf of all others similarly situated (“Plaintiff”), and Defendants Allegiant Travel Company; Maurice J. Gallagher, Jr.; and Scott Sheldon (“Defendants”), by and through their counsel of record, stipulate and request that the Court approve the following deadline by which Plaintiff shall file an Amended Complaint and approve the proposed briefing schedule on the same. This Stipulation is made and based upon the following:

1. On April 24, 2018, Plaintiff filed a complaint against Defendants in the United States District Court for the Central District of California (the “Central District”) captioned *Checkman v.*

1 *Allegiant Travel Company, et al.*, No. 2:18-cv-03417-JFW, which alleged violations of the Securities  
2 Exchange Act of 1934 (the “Initial Complaint”).

3 2. By Order entered July 17, 2018 (ECF No. 21), the Central District appointed Charles  
4 Brendon as Lead Plaintiff and approved of his selection of The Rosen Law Firm, P.A. as Lead  
5 Counsel.

6 3. On August 20, 2018, the Parties filed, as a matter of right, a Stipulation to Extend Time  
7 to Respond to Initial Complaint By Not More Than 30 Days Pursuant to the Central District’s Local  
8 Rule 8-3 (ECF No. 25), which provided that Defendants’ answer, motion, or other responsive  
9 pleadings to the Initial Complaint was due on September 17, 2018.

10 4. On September 10, 2018, the Parties filed a Joint Stipulation to Transfer Venue to the  
11 District of Nevada (ECF No. 26) for the convenience of all parties and witnesses, and in the interests  
12 of justice, pursuant to 28 U.S.C. § 1404(a).

13 5. By Order entered on September 11, 2018 (ECF No. 27), the Central District transferred  
14 the action from the Central District to the United States District Court for the District of Nevada (the  
15 “District of Nevada”) and further ordered the Clerk for the Central District to forward all filings in  
16 the action to the Clerk for the District of Nevada.

17 6. On September 11, 2018, the Central District issued a Notice of Receipt of Electronic  
18 Case Transfer from the District of Nevada (ECF No. 28) indicating that this action has been  
19 designated Case Number 18-cv-01758.

20 7. The Parties believe that good cause exists to set the schedule provided below for the  
21 filing of an Amended Class Action Complaint (the “Amended Complaint”) and briefing deadlines on  
22 Defendants’ anticipated Motion to Dismiss because the schedule would promote the interests of  
23 justice and efficiency, and conserve the resources of the parties and the Court.

24 **NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED**, by and between  
25 counsel for the parties listed below, that:

26 1. Defendants need not respond to the Initial Complaint. The September 17, 2018  
27 deadline to respond to the Initial Complaint is vacated.

28 2. Lead Counsel shall file and serve an Amended Complaint by October 22, 2018.

3. The time for Defendants to answer, move, or otherwise plead in response to the Amended Complaint is hereby extended to sixty (60) days following service of the Amended Complaint by the Lead Plaintiff (Friday, December 21, 2018).

4. Should any Defendant move to dismiss or strike the Amended Complaint, Lead Plaintiff shall have forty-five (45) days to file an opposition to any such motion (Monday, February 4, 2019), and Defendants shall have thirty (30) days to file any reply (Wednesday, March 6, 2019).

5. Nothing herein shall be deemed to constitute a waiver of any rights, defenses, objections or any other application to any court that any party may have with respect to the claims set forth in the Initial Complaint already filed in this action.

**IT IS SO STIPULATED.**

Dated this 17<sup>th</sup> day of September 2018.

**GREENBERG TRAURIG, LLP**

/s/ Mark E. Ferrario

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*Attorneys for Defendants*

Dated this 17<sup>th</sup> day of September 2018.

**LEVERTY & ASSOCIATES  
LAW CHTD.**

/s/ Patrick R. Leverty

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**IT IS SO ORDERED.**

  
UNITED STATES MAGISTRATE JUDGE

DATED: September 20, 2018